



# HOOSICK STREET REZONING & OVERLAY DISTRICT

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Hoosick Street Amended Map - Attached

#### **4.202 Hoosick Street Zoning Districts**

##### **(A) Philosophy:**

- i. **Hoosick Street Waterfront District – (HWD)** The purpose of this district is to encourage the redevelopment of the North Central waterfront as a mixture of uses that will contribute to the City's tax base, create jobs and integrate with the natural environment of the Hudson River, the downtown, the adjacent residential neighborhood and city bicycle/ pedestrian trail systems. This shall be accomplished by providing zoning classification suitable for application to that portion of the waterfront where mixed uses including recreation, public green space, professional offices, multi-family residential, research and development space, light industry and retail and service-related commercial activity will be permitted.
- ii. **Hoosick Street Commerce District – (HCD)** This district is designed to promote mixed-use development of commercial, office, entertainment, restaurant and residential uses that will contribute to the City's tax base. This district fosters high-density mixed-use buildings on Hoosick Street while discouraging a commercial strip appearance and requires substantial buffering and screening between busy streets and residential neighborhoods. Development is intended to be aesthetically pleasing for motorists, transit users and pedestrians with a strong emphasis on a safe and attractive streetscape.
- iii. **Hoosick Street Professional District – (HPD)** This district is designed to allow for conversion of residential properties into professional uses while maintaining the residential architectural integrity of the area and encouraging future land uses that will contribute to the City's tax base.

##### **(B) Definitions:**

**As used in this section, the following terms apply only to the Hoosick Street Districts. For all other terms see Article II Definitions and 4.202 Waterfront District Definitions.**

**ART GALLERY:** A structure or building utilized for the display of art work, including paintings, sculptures and paints for sale to the public.

**ARTIST STUDIO:** A workshop or workroom for the creation of fine arts and crafts such as painting, sculpturing, photography, or other handmade pieces or art. The space may

include a residential unit and it may also include a teaching area of small groups of ten or less.

**AUTO REPAIR SERVICES:** A building or premises used for the purpose of repair, maintenance, and servicing of motor vehicles, including auto bodywork, painting, and major repairs.

**COMMUNITY CENTER:** A building used for recreational, social, educational and cultural activities for use by the public.

**DISABILITY GLARE:** The eye's Line-of-Sight contact with a direct light source, which causes a partial blindness

**ENTERTAINMENT FACILITY:** Any establishment that is operated, maintained, or devoted to amusement of the general public, whether privately or publicly owned, where entertainment is offered by the facility. Entertainment facilities shall include, but not be limited to, the following: arenas, theaters, bowling alleys, dance halls or clubs, video arcades, skating rinks, batting cages, and miniature golf courses. Entertainment facilities shall not include sexually oriented businesses, taverns, pubs golf courses, or parks.

**FOOT CANDLE:** A unit of measure for luminance. A unit of luminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

**FULL CUT OFF TYPE FIXTURE:** A luminaire or light fixture that; by design of the housing, does not allow any light dispersion or direct glare to shine above 90 degree, horizontal plane from the base of the fixture.

**HORIZONTAL ARCHITECTURAL BREAK:** An architectural design that provides exterior reliefs to the façade of a building.

**HORIZONTAL LUMINANCE:** The measurement of brightness from a light source, usually measured in foot-candles or lumens, which is taken through a light meter's sensor at a horizontal position.

**LIGHT TRESPASS:** Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

**LOT COVERAGE:** The percentage of lot area that is occupied by building footprints.

**MIXED USE:** A development containing more than one use in a building or on a parcel.

**MEDICAL OFFICE:** A place where one or more doctors or dentists furnish medical or dental care to a person on an outpatient basis. A place for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room or kept overnight on the premises. A facility for human ailments operated by a group of physicians, dentists,

chiropractors, or other licensed practitioners for the treatment and examination of outpatients.

**NIGHTCLUB:** An establishment primarily engaged in the sale and service of beverages for on premises consumption and the providing of musical entertainment, singing, dancing, or other forms of amusement and entertainment, with the sale or service of food being incidental and accessory thereto. Such establishment may also have one or more of the following characteristics: age restrictions, cover charges, charges for admission, disc jockeys, jukeboxes, amplified sound systems, live entertainment and the like; the hours of operation extend beyond the normal dinner hours. The term nightclub: includes the term “cabaret” and “disco”.

**NURSING HOME:** A proprietary facility, licensed or regulated by the State of New York, for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require skilled nursing and related medical services.

**PARKING AREA-**An off-street area containing three (3) or more parking spaces, with passageways and driveways appurtenant to such spaces and giving access thereto.

**PARKING LOT:** An open space other than a street or alley used exclusively for the parking of automobiles.

**PARKING STRUCTURE:** A structure or building used to park cars. Includes parking garages, parking decks, and underground parking.

**PRINTING AND PUBLISHING:** Commercial lithographic printing, gravure printing, lexographic, screen printing, quick printing, manifold business for printing, book printing, and the binding of printed materials to create books, magazines, pamphlets and other printed materials.

**PROFESSIONAL OFFICE:** The use of an office and related space for such professional services that are provided by accountants, attorneys, architects, engineers and similar professions. A professional office excludes uses permitted in a “business office” and “medical offices/clinics”.

**RETAIL:** Establishments engaged in selling goods, services or merchandise to the general public for personal and household consumption and rendering services incidental to the sale of such goods.

**STRUCTURE:** Anything constructed or erected, the use of which requires location on or under the ground or attachment to something having location on the ground. "Structure" includes a building. See also "building."

**STUDIO:** A separate structure accessory to a residence containing facilities for light and heat but not toilet or kitchen facilities, to be used for purpose accessory to the main residential use; not to be used for commercial purposes.

**TRANSPORTATION TERMINAL:** A building and its land that serves as a site for passengers to transfer from one means of transportation to another, not including repair activities for motor vehicles.

**SCHOOL, NON PUBLIC:** A private school furnishing comprehensive curriculum of academic instruction similar to that of a public school on the kindergarten, primary and/or secondary level.

**UPLIGHTING:** Any light source that distributes illumination above a 90-degree horizontal plane.

**USE:** The specific purpose for which land or a building is designed, arranged or intended or for which it may be occupied or maintained. The term authorized use or its equivalent shall not be deemed to include any non-conforming use.

**VEHICLE SALES:** A premises, including open areas, other than a street or right-of-way, and including show rooms enclosed within a building used for the display, rental or sale of automobiles, boats, mopeds, motorcycles, snowmobiles, trucks and recreational vehicles.

<b>(C PRIMARY USE SCHEDULE A</b>	<b>HWD</b>	<b>HCD</b>	<b>HPD</b>
Appliance and small equipment repair/sales	P	P	NP
Art gallery	P	P	P
Artist studios above first floor	P	P	P
Assembly and packaging of products	P	NP	NP
Automotive repair services with auto body repair	P	NP	NP
Bed and breakfast	P	P	P
Branch Banks	P	P	NP
Broadcasting facilities	P	P	NP
Business Office	P	P	NP
Business office with a max of 10 employees	P	P	P
Child Care Facility	P	P	NP
Churches and religious institutions	P	P	NP
Commercial recreational facilities	P	P	NP
Community center	P	P	NP
Community garden	P	NP	NP
Cultural Facilities	P	P	NP
Entertainment facilities	P	P	NP
Financial Institutions excluding Branch Banks	P	P	NP
Funeral homes	P	NP	P
Gasoline Filling Station	NP	P	NP
Government agency structures or use	P	P	NP
Home occupations	P	P	P
Hotels/Inns	P	P	NP
Libraries	P	P	NP
Light Industry	P	NP	NP
Medical office	P	P	NP
Membership clubs	P	P	NP
Nightclub	P	P	NP
Nursing homes	P	NP	NP
Open Space/ Greenways	P	P	P
Parking lots as primary use	NP	NP	NP
Parking structures as primary use	P	P	NP
Personal Care Services	P	P	NP
Printing and Publishing	P	P	NP
Professional office	P	P	NP
Professional office with no more than 10 individuals	P	P	P
Research and development facilities	P	P	NP
Residential, Multi-family	P	P*	NP
Residential, Single family	NP	NP	P
Residential Two family	P	P*	P
Restaurants, full-service	P	P	NP
Restaurants, Take out	P	P	NP
Retail	P	P	NP
School, Non-public	P	NP	NP
Transportation Terminals, taxi stands, ferries	P	NP	NP
Tavern and Bar	P	P	NP
Vehicle sales	P	NP	NP
Water Dependent Uses, Commercial/Recreational	P	NP	NP
Warehousing	P	NP	NP
P=Permitted NP= Not Permitted			
*Above first floor			

**(D) Lot Characteristics**

1. All lot lines abutting a right of way are considered front lot lines.
2. Corner lots have no side lot lines, only front and back lot lines.
3. Parking structures are not required to meet setback guidelines.
4. Building height on a lot with an elevation change shall be calculated from the average elevation of the finished grade at the perimeter of the building to the highest point of the building.
5. SCHEDULE B

Lot Characteristics SCHEDULE B								
Zone	<u>Setbacks</u>							
	Max Building Height	Minimum Lot Area	Front Min	Front Max	Rear Min	Side Min	Max Lot Coverage	Min Lot Coverage
HWD	70 ft	None	None	20 ft	20 ft	None	80%	None
HCD	70 ft	10,000 sq ft	None	10 ft	45 ft	None	80%	50%
HPD	35 ft	4200 sq ft	20ft	None	20 ft	10 ft Ea.	80%	None

**(E) Signs:**

All signs will be subject to Article VII of this ordinance. The following sections shall apply for the Hoosick Street Zone Districts.

Hoosick Street Waterfront District: 7.360 B5 and IND zones

Hoosick Street Commerce District: 7.350 B4 Zone

Hoosick Street Professional District: 7.320 R3 Zone

**(F) Parking:** Schedule C. All uses shall conform to the requirements of this schedule for number of off street parking spaces. Uses shall refer to Article VI for all other off street parking and loading provisions except as noted in the Hoosick Street Overlay District.

<b>SCHEDULE C</b>	<b>OFF STREET PARKING</b>
<b>USES</b>	<b>MAXIMUM REQUIREMENTS</b>
Assembly and packaging facilities	1.25 space for each 2 employees on the largest shift, with a minimum of 2 spaces
Branch Banks, Savings and loans, credit unions	1 space per 1,000 square feet
Child day care Center	1 space for each staff member plus 1 space per 10 children
Commercial or academic research and development facility	1 space per 1,000 sq ft
Construction industry facility	1 space per employee
Financial Institutions not otherwise included in this schedule	1 space per 1,000 sq ft gross floor area
Hotel	1 space for each room and 1 space per managers unit
Manufacturing use	1.25 spaces for each 2 employees on the largest shift with a minimum of 2 spaces
Mixed Use	Total of each individual use.
Neighborhood Retail	1 spaces per 1,000 square feet
Offices	2 spaces per 1,000 square feet gross floor area
Printing and Publishing	1 space for each 2 employees
Restaurant, excluding Take-out only	6 spaces per 1,000 sq ft
Restaurant, Take-out only	1 space per 50 sq ft
Retail use including shopping centers	2 spaces per 1,000 sq ft
Service Businesses (eg salons, barbershops, dry cleaners, Laundromat	1.5 spaces per 1,000 sq ft
Taverns, bars	6 spaces per 1,000 sq ft
Trucking and transshipment facilities	1 space per employee
Warehouse	1 space per employee + 1 space per 4,000sq ft
Wholesale and Distribution	1 space per employee + 3 visitor spaces

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## **Hoosick Street Overlay Zone District**

### **4.305 Hoosick Street Overlay District**

#### **(A) Philosophy**

The purpose of the Hoosick Street Overlay District is to recognize Hoosick Street for its function locally as an urban street and regionally as a critical transportation route for parts of eastern Rensselaer County. The Overlay District is intended to encourage

economic development and physically enhance the corridor to promote pedestrian safety, improve local traffic access and circulation, minimize impacts of arterial traffic, preserve the character of residential neighborhoods and mitigate land use conflicts.

**Purpose:**

The purposes of the Hoosick Street Zoning Districts are:

- (a) To encourage diversity in the community tax base through appropriate flexibility in land use and land use development.
- (b) To optimize financial return on public infrastructure investments and expenditures, including water& sewer, intersection improvements,
- (c) To minimize adverse traffic impacts on Hoosick Street & on surrounding local Streets and roadways
- (d) To enhance the aesthetic gateway appearance and to minimize adverse environmental impacts such water, air, light, noise pollution, and traffic congestion.
- (e) To encourage a pedestrian environment.
- (f) To preserve and buffer residential neighborhoods surrounding the corridor.

**(B.) Regulated Uses**

- 1. All actions that involve construction of a new structure, addition of more than 500 square feet of gross floor area to an existing structure, a change in use, alteration or construction of a sign, substantial rehabilitation, or substantial facade alteration of an existing structure will be subject to 4.305 Hoosick Street Overlay District and will be reviewed under the authority of the City Planning Board as part of site plan review. Waivers of allowed uses and of the rule and regulations of the overlay zone district will be at the discretion of the Planning Board. The Hoosick Street Overlay Zone District consists of the Hoosick Waterfront District, Hoosick Commerce District, and Hoosick Professional District.
- 2. Development otherwise permitted in the underlying zone will be further regulated in accordance with the provisions of this Article.

**(C.) Development Standards**

The following development standards will apply only to parcels partially or wholly within the Hoosick Street Overlay district.

**1. Site Design:**

- b. Buildings shall be required to be set back to meet the requirements of sidewalk width, but shall not exceed the setback standards in Section 4.305 C, 7 of this chapter.

- c. Sidewalk width requirements are found in Schedule C. Sidewalk width requirements shall be achieved through a combination of city right of way property and private property if necessary.
- d. For all new construction, the area between the front lot line and front building line shall be used for site amenities including sidewalks, patio, landscaping, display space, and/ or public space.
- e. Retaining walls on property boundaries that would inhibit future driveway access between sites shall not be permitted.
- f. For all new construction, front lot lines will be measured taking into account future DOT realignment of Hoosick Street. A 20' setback on the north side of Hoosick Street between 10<sup>th</sup> & Burdett Avenue shall be established as the build to line or as later established through right-of-way survey by the City Engineering Department.
- g. Existing site topography shall be maintained for new construction and incorporated into final building design as noted in 4.305 C, 2j.
- h. Parking decks shall be utilized for lots with elevation changes, rather than retaining walls.
- i. New construction for properties fronting the north side of Hoosick Street between 15<sup>th</sup> & 21st Street shall be designed to provide shared rear alleyway access.

## **2. Building Design:**

- a. Architectural details of new buildings and additions, and textures of walls and roof materials, should be harmonious with the building's overall architectural style and should preserve and enhance the historic character of Troy. Fig A
- b. The mass, proportion and scale of the building, roof shape, roof pitch, and proportions and relationships between doors and windows should be harmonious among themselves.
- c. Except in the Professional District, construction of buildings on corner lots shall be required to have building facades front both Right of Ways with a central entrance design feature at the corner location. Fig B.
- d. In the Professional District, building construction shall be residential in size and design. Design shall include pitched roof and architectural features as found in existing residential buildings in the district.
- e. Permitted uses in Schedule A requiring new construction shall have buildings of a minimum of two occupied stories in height.
- f. A single primary use in the HCD not proposing to occupy upper stories for other than storage shall be part of a mixed use development of a least two or more uses permitted in schedule A.
- g. Mixed development projects with 3 or less uses shall be located in a single building. Mixed-use development projects of 4 or more uses are permitted to have more than one building on a lot.

- h. On lots with more than one building, buildings shall be grouped together to maximize pedestrian access by connecting sidewalks and pathways.
- i. Buildings shall have vertical breaks in the façade to facilitate appearance of smaller buildings proportionate to adjacent residential uses with a single section being, at maximum, no more than 25 feet in length or as otherwise approved.
- j. Buildings shall have stepped breaks in floor elevation corresponding to the topography of Hoosick Street. Breaks should be proportionate to topographical elevation gain/loss along front lot line.

### **3. Off Street Parking:**

- a. See Parking **SCHEDULE C**. All uses shall conform to the requirements of this schedule for number of off street parking spaces. Uses shall refer to Section 6.100 for all other off street parking and loading provisions except as noted below.
- b. Reduction or expansion in parking space requirements may be permitted where by design and use it is shown to the board's satisfaction that the parking is compatibly shared by multiple uses. However, in no case shall a parking requirement reduction or expansion exceed twenty (20) percent of those parking spaces required under normal application of requirements for the non-residential uses.
- c. Parking structures or alternate parking plans shall be incorporated into the design of any development project that exceeds the off street parking requirements or parking structures may be used collectively by adjacent land use owners in order to meet their off street parking requirements.
- d. Parking structure construction shall be located strategically on the property to allow for future collaborative use.
- e. All off street parking shall be located to the rear of buildings. All parking and loading areas shall be completely screened from adjacent residential uses by a landscaped and ornamentally fenced buffer area.
- f. Parking decks shall be used for parcels with grade elevation changes that shall connect to adjacent parking facilities to allow for shared parking access.
- g. All parking lots in the rear of a parcel shall be connected to adjacent parcels at the side lot line to allow vehicular access between lots.
- h. Developers are encouraged to build parking decks or structures under buildings, on the down slope side, and bi-level parking. Fig C

### **4. Site Access & Driveways:**

- a. All driveways for non-corner Hoosick Street lots shall be located at the side lot line and shall become shared as development of the adjoining lot proceeds. Existing driveway access entrance ways located on Hoosick Street shall be relocated to the side lot line for future shared driveway access Properties with more than one existing access driveway shall be allowed only one access point on Hoosick Street.
- b. All driveways for corner lots shall be from the minor street and shall be located abutting the rear setback requirement.

- c. Maximum Curb cut shall be 30ft.
- d. Connections between lots required in rear.
- e. Access to Hoosick Street from a Planned Mixed-Use Development shall be through a secondary street and at a signalized intersection.

## **5. Lighting:**

1. All storefronts, entryways, walking paths, and parking areas shall be adequately lit to at least .5 footcandles.
2. All parking and security lighting shall be on a pedestrian scale with a 16-foot maximum light height for site illumination. The mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture (i.e luminaire).
3. All parking area and security lighting will be full cut-off type fixtures. Full cut-off fixtures must be installed in a horizontal position as designed.
4. All exterior lights and illuminated signs shall be designed, located, installed and directed in such a manner as to prevent objectionable light trespass, and glare across, the property lines and or disability glare at any location on or off the property.
5. Plighting is allowed only for highlighting important architectural features of a façade. Such up lighting shall be limited to 5pm to 12am. Externally lit signs, display, building and aesthetic lighting must be shielded to prevent direct glare and/or light trespass in excess of 0.2 foot-candles. The lighting must also be, as much as physically possible, contained to the target area.
6. Internally lit signs are acceptable provided that they meet the requirements of the sign ordinance.
7. Adjacent to residential property, no direct light source shall be visible at the property line at ground level or above.
8. When an outdoor lighting installation is being modified, extended, expanded or added to, the entire outdoor lighting installation shall be subject to the requirements of this section.
9. Expansion, additions, or replacements to outdoor lighting installations shall be designed to avoid harsh contrast in color and or lighting levels.
10. Where practicable, electrical service to outdoor lighting fixtures shall be underground.
11. Proposed lighting installations that are not covered in this section may be approved if the Planning Board finds that they are designed to minimize glare, do not direct light beyond the boundaries in excess of 0.2 foot-candles of the area being illuminated or onto adjacent properties or streets, and do not result in excessive lighting levels.
12. Holiday lighting during the months of November, December and January, and street tree lighting all year round, shall be exempt from the provisions of this section, provided that such lighting does not create dangerous glare on adjacent streets or properties.

## **6. Landscaping & Screening:**

- a. Commercial properties abutting a residential use shall have screening and buffering of at least 8 feet in depth. Screening shall include a 5ft high-grassed berm, a solid wood or vinyl ornamental fence, and evergreen and deciduous trees,

with no less than 50% being evergreen, a minimum of 6 feet in height, and planted at intervals no greater than 15 feet on center. Fencing shall be located at the top of the berm. Fig D

- b. Parking areas shall be landscaped as per article VI of this zoning ordinance where not otherwise stated in this chapter, and shall include trees and bushes.

## **7. Sidewalks & Sidewalk Design on Hoosick Street:**

- a. Hoosick Waterfront and Hoosick Commerce District
  - i. Sidewalk width shall be 12 ft measured from the curb line. Fig E
  - ii. Sidewalks shall be handicap accessible and shall have pedestrian friendly curb cuts.
  - iii. Within the Hoosick Commerce District, decorative bollards and chains shall be installed the length of the sidewalk not used by curb cuts 2 ft in from curb. Decorative bollard options for public areas must match the quality and appearance of either Spring City's 37" Reston bollard or Trystan Site Furnishings' 43 1/4" Victorian bollard. The former option is a heavy, cast aluminum alloy product, while the latter is constructed on cast iron. Both must have a black finish. Where chains are utilized between bollards, recommended spacing may be up to 10' on center. All bollards must be anchored and installed per bollard manufacturers' specifications. Planters, benches, and other sidewalk furniture may be used in combination with bollards and chains to separate pedestrians from traffic. See Fig F.
- b. Hoosick Professional District and east of Professional District.
  - i. Sidewalk width shall be 7 ft measured from the curb line including 2 ft grass strip.
  - ii. Sidewalks shall be handicap accessible and shall have pedestrian friendly curb cuts.

## **8. Streetscape:**

- a. Street trees are required. Spacing, number, and species of tree shall be at the discretion of Planning Board. All newly planted trees shall be at least 2 inches caliper size and shall be a combination of flowering and indigenous trees. Trees must *not* be planted within 5' of access drives, within 25' of preserved existing trees, within bus stop zones, below fire escape balconies, where blockage to building entrances presents safety concerns, or within 5' of hydrants, manhole covers, or permanent streetscape furnishings. When planting trees, visibility of traffic signals and way-finding signage (both vehicular and pedestrian forms) must always be maintained.
- b. Proposed site furnishings including benches, litter receptacles, bollards, bike racks, bus shelters, parking meters, fences and sign poles (excluding vehicular way-finding signs) are to be black, powder coated metal.

## **9. Garbage Removal Design:**

All exterior garbage dumpsters shall be located in the rear of buildings, shall be on a concrete pad with a solid fence enclosure, and shall contain perimeter landscaping. All

commercial uses shall provide private trash pickup. Trash removal schedule shall be approved by the Planning Board.

#### **10. Public Transportation:**

Accommodations shall be made for bus shelters at preferred locations including concrete pads, utilities and utility installation.

#### **11. Signs:**

No freestanding signs are allowed in the Overlay District unless part of mixed use development signage for 3 or more businesses.

#### **12. Gasoline Filling Stations:**

- a. All new gasoline filling stations shall be located no less than 1000 ft from an existing gasoline filling station.
- b. Gasoline filling stations shall be allowed related retail sales incidental to selling gasoline including food and sundries. No auto dependent uses not incidental to a gasoline filling station, including auto service, auto sales, auto body, and car wash facilities, shall be allowed on the same site.
- c. Gasoline filling stations shall be allowed two driveway accesses. Driveways shall be located at the central side lot line and shall become shared as development of the adjoining lot proceeds.
- d. Architectural design of building and canopy shall be compatible with each other and architecturally appropriate to the corridor.
- e. Gasoline Filling Stations shall include substantial landscaping along front lot line with a minimum of 10 ft in depth.

**Fig A**



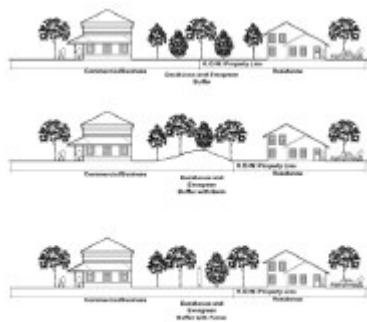
**Fig B**



**Fig C**



**Fig D**



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Fig E

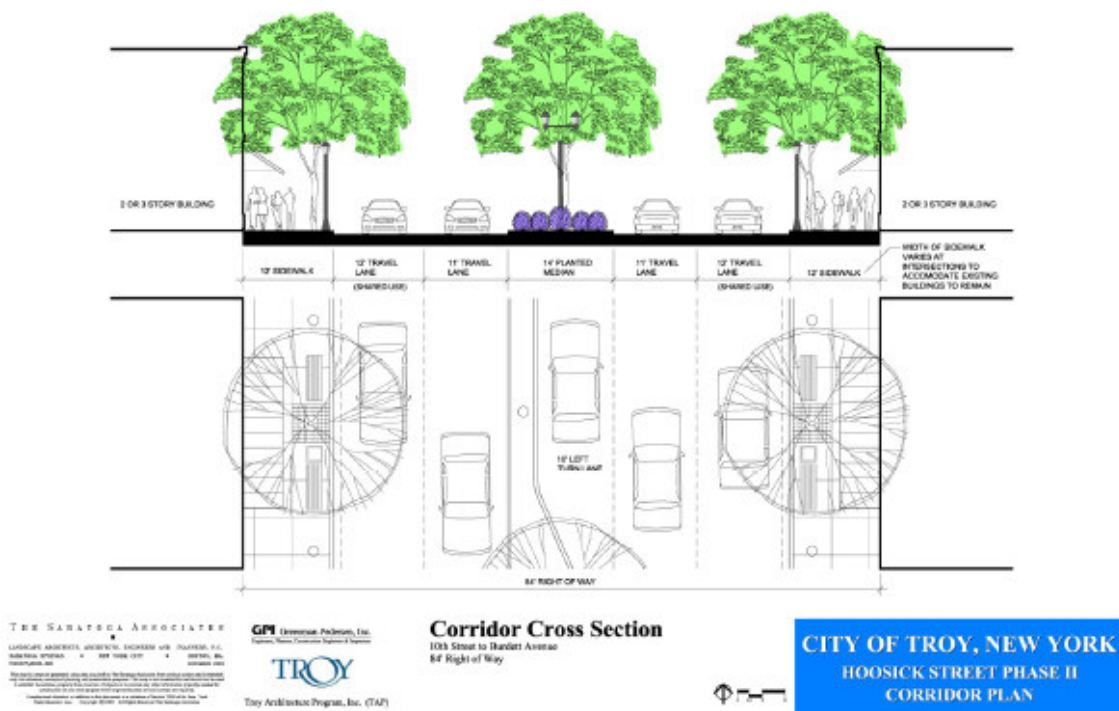
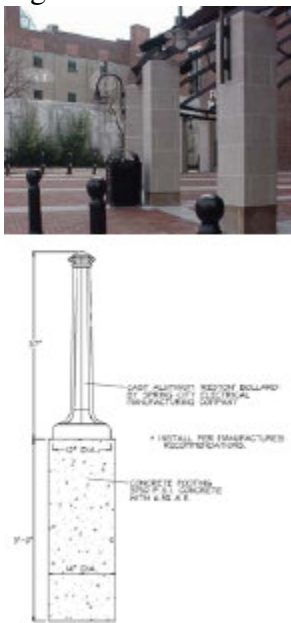


Fig F



reston bollard option